



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,682	04/09/2004	Vincent J. Lonero	1207-00109	1359
26659	7590	09/20/2005	EXAMINER	
RAGGIO & DINNIN, P.C. 2701 CAMBRIDGE COURT, STE. 410 AUBURN HILLS, MI 48326			TOLAN, EDWARD THOMAS	
			ART UNIT	PAPER NUMBER
			3725	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Double Patenting

Claims 8-13, 18 and 19 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-16, 18 and 19 of copending Application No. 10/821,519. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Vodopyanov (6,360,574). Vodopyanov discloses a tool housing (74), a shaft (76) mounted in the housing, a back up roller (80) and roll cage members (90,92) comprising two pieces which retain work rolls (88). The cage members are positioned in a rectangular recess in the housing (figure 4). The cage members (92) have tabs (102) that extend from the recess and a fastener (94) extends through an aperture (93) to secure the cage members to the housing.

Allowable Subject Matter

Claims 1-7, 14-17 and 20 allowed. The prior art of record does not disclose; in a deep rolling tool having a housing with first and second members, a roller rotatable about a shaft and a work roller rotatably supported by said roller, wherein the first and

Art Unit: 3725

second members rotate relative to one another between a first position at which the members are aligned and locked and a second position at which the members are separable.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Ed Tolan whose telephone number is 571-272-4525. FAX communications should be sent to 571-273-8300.

ED TOLAN
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Ed Tolan', is written over the printed name and title.